

CURRENT & UPCOMING VACANCIES

Current vacancies (20):

- **Maine** (since 2001) – still continuing to request names from senators
- **Southern District of West Virginia** (since 2005) - waiting on names from congresswoman
- **Eastern District of Tennessee** (since 2005) – candidate in background review
- **Alaska** (since 1/06) – waiting on names from senators
- **Southern District of Illinois** (since 2005 or 3/06, depending) - nomination sent to last Congress but not approved; on hold
- **Western District of Missouri** (since 3/06) - nomination pending
- **Puerto Rico** (since 6/06) - nomination pending
- **District of Columbia** (since 9/06) - nomination pending
- **Nebraska** (since 10/06) - candidate in background review
- **Middle District of Tennessee** (since 10/06) - waiting on additional names from senators
- **Central District of California** (since 11/06) – working with home-state commission
- **Eastern District of Arkansas** (since 12/06) – waiting on names from congressman
- **Northern District of Iowa** (since 12/06) - candidate in background
- **District of Arizona** (since 1/07) – would like to request more names from senators
- **Western District of Washington** (since 1/07) – waiting on additional names from committee
- **Southern District of Georgia** (since 2/7/07) – waiting on additional names from senators
- **Southern District of California**, Carol Lam, 2/15/07 – waiting on names from commission
- **Northern District of California** Kevin Ryan, 2/16/07 – waiting on names from commission
- **Nevada**, Dan Bogden, 2/28/07 – waiting on names from senator
- **New Mexico**, David Iglesias, 2/28/07 – candidate selected but waiting on home-state senator sign-off

Publicly-announced or known upcoming resignations (4):

- **Western District of Michigan**, Margaret Chiara, 3/07
- **Montana**, Bill Mercer, pending confirmation of new position
- **Northern District of Indiana**, Joe Van Bokkelen, pending confirmation of new position
- **Eastern District of New York**, Roslynn Mauskopf, pending confirmation of new position

Question: Is there any way to determine how many judges appointed interim U.S. Attorneys in the past 6 years? How many would not do it?

Answer:

- EOUSA's records show that there have been 66 occasions in this Administration where a person appointed by this Administration's Attorneys General to serve as interim U.S. Attorney was then re-appointed to continue to serve by the federal district court after the 120-day AG appointment ended. There are an additional 8 occasions where a person appointed by the last Administration's Attorney General to serve as interim U.S. Attorney was then re-appointed to continue to serve by the federal district court after the 120-day AG appointment ended. (Those districts are listed below.)
- In this Administration, there are 5 known occasions where there were issues with the court regarding appointments. The court may have refused to make any appointment; declined to use their authority, enabling the AG to re-appoint the individual to consecutive 120-day terms; or, where there is some recollection within the Department that there was disagreement over the individual to be appointed. (Those districts are listed below.)

Districts where an Attorney General appointed someone as interim U.S. Attorney and then 120 days later the court re-appointed the same individual to continue under the court's authority:

- Alabama, Southern (Ginny Granada)
- Alabama, Southern (Deborah Rhodes)
- Alaska (Tim Burgess)
- Arizona (Paul Charlton)
- Arkansas, Eastern (Michael Johnson; note - AG appointment at end of Clinton Administration, but Court appointment in May 2001)
- Arkansas, Western (Bill Cromwell; note - AG appointment at end of Clinton Administration, but Court appointment in May 2001)
- California, Central (John Gordon)
- California, Eastern (John Vincent; note - AG appointment at end of Clinton Administration, but Court appointment in May 2001)
- California, Northern (David Shapiro)
- California, Southern (Patrick O'Toole)
- Colorado (Richard Spriggs)
- Colorado (Bill Leone)
- Connecticut (John Danaher)
- Delaware (Richard Andrews)

- Washington, D.C. (Ken Wainstein; note received AG and court appointments in 2001, and then again in 2004 after the resignation of Senate-confirmed USA Roscoe Howard)
- Florida, Middle (Mac Cauley)
- Florida, Northern (Tom Kirwin)
- Georgia, Southern (Eddie Booth)
- Georgia, Southern (Paul Murphy)
- Georgia, Southern (Lisa Wood)
- Hawaii (Elliot Enoki)
- Iowa, Southern (Inga Bumbary-Langston)
- Iowa, Southern (Steve O'Meara)
- Louisiana, Eastern (Jim Letten)
- Maine (Paula Silsby)
- Maryland (Stephen Schenning)
- Maryland (Allen Loucks)
- Michigan, Eastern (Alan Gershel)
- Michigan, Eastern (Craig Morford)
- Michigan, Western (Phillip Green)
- Minnesota (Robert Small; note - AG appointment at end of Clinton Administration, but Court appointment in May 2001)
- Mississippi, Northern (Jim Greenlee)
- Mississippi, Southern (James Tucker; note - AG appointment at end of Clinton Administration, but Court appointment in May 2001)
- Missouri, Eastern (Ray Gruender)
- Missouri, Eastern (Jim Martin)
- Missouri, Eastern (Catherine Hanaway)
- Missouri, Western (Marietta Parker)
- Montana (Bill Mercer)
- Nebraska (Mike Heavican)
- New Hampshire (Gretchen Witt)
- New York, Eastern (Alan Vinegrad)
- New York, Northern (Joseph Pavone)
- New York, Southern (David Kelley)
- New York, Western (Kathleen Mehlretter)
- North Carolina, Middle (Benjamin White)
- North Carolina, Western (Bob Conrad)
- North Carolina, Western (Gretchen Shappert)
- North Dakota (Lynn Crooks; note - AG appointment at end of Clinton Administration, but Court appointment in April 2001)
- Oklahoma, Northern (Thomas Scott Woodward; note - AG appointment at end of Clinton Administration, but Court appointment in April 2001)
- Oklahoma, Western (John Richter)
- Oregon (Mike Mosman)
- Pennsylvania, Eastern (Mike Levy)

- Pennsylvania, Middle (Martin Carlson)
- Pennsylvania, Western (Linda Kelly)
- Puerto Rico (Bert Garcia)
- Rhode Island (Craig Moore)
- South Carolina (Scott Schools)
- South Carolina (Johnny Gasser)
- Tennessee, Eastern (Russ Dedrick)
- Texas, Northern (Richard Stephens)
- Texas, Northern (Richard Roper)
- Texas, Southern (Greg Serres)
- Texas, Western (Bob Pitman)
- Vermont (David Kirby; note received AG appointment at end of Clinton Administration, but Court appointment in May 2001; also received both appointments in 2005 after the resignation of Senate-confirmed USA Peter Hall)
- Virgin Islands (David Atkinson)
- Virginia, Eastern (Ken Melson)
- West Virginia, Northern (Patrick Flatley)
- West Virginia, Southern (Chuck Miller)
- Wisconsin, Eastern (Jim Sentelle)
- Wisconsin, Western (Grant Johnson)
- Wisconsin, Western (Steve Sinnott)
- Wyoming (John Green)

Districts where there were issues with the court regarding appointments in this Administration:

- Florida, Southern (the court did not exercise their authority; Alex Acosta received three consecutive 120-day AG appointments)
- Illinois, Southern (there was some disagreement between the court and the Department over the appointee)
- North Carolina, Eastern (court did not exercise authority in 2001; John Bruce received three consecutive 120-day AG appointments before the court did then make an appointment in 2002 of Frank Whitney, the nominee)
- Oklahoma, Eastern (court did not exercise authority; Shelly Sperling received four consecutive 120-day AG appointments)
- South Dakota (disagreement over appointee spawned a significant constitutional clash; see attached document for additional details)

* NOTE - There may have been other districts where there was initially disagreement between the Department and the court over the individual to be selected, but it was resolved through discussion and was not recorded.